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RESOLUTIONS ADOPTED BY THE GENERAL ASSEMBLY

[without reference to a Main Committee (A/49/L.59 and A/49/L.60)]

49/87. The situation in the Middle East

A

Jerusalem

The General Assembly,

Recalling its resolutions 36/120 E of 10 December 1981, 37/123 C of 16 December 1982, 38/180 C of 19 December 1983, 39/146 C of 14 December 1984, 40/168 C of 16 December 1985, 41/162 C of 4 December 1986, 42/209 D of 11 December 1987, 43/54 C of 6 December 1988, 44/40 C of 4 December 1989, 45/83 C of 13 December 1990, 46/82 B of 16 December 1991, 47/63 B of 11 December 1992 and 48/59 A of 14 December 1993, in which it determined that all legislative and administrative measures and actions taken by Israel, the occupying Power, which had altered or purported to alter the character and status of the Holy City of Jerusalem, in particular the so-called "Basic Law" on Jerusalem and the proclamation of Jerusalem as the capital of Israel, were null and void and must be rescinded forthwith,

Recalling also Security Council resolution 478 (1980) of 20 August 1980, in which the Council, inter alia, decided not to recognize the "Basic Law" and called upon those States that had established diplomatic missions at Jerusalem to withdraw such missions from the Holy City,

Having considered the report of the Secretary-General of 20 October 1994, 1/

1/ A/49/556.

1. Determines that the decision of Israel to impose its laws, jurisdiction and administration on the Holy City of Jerusalem is illegal and therefore null and void and has no validity whatsoever;

2. Deplores the transfer by some States of their diplomatic missions to Jerusalem in violation of Security Council resolution 478 (1980), and their refusal to comply with the provisions of that resolution;

3. Calls once more upon those States to abide by the provisions of the relevant United Nations resolutions, in conformity with the Charter of the United Nations;

4. Requests the Secretary-General to report to the General Assembly at its fiftieth session on the implementation of the present resolution.

91st plenary meeting
16 December 1994

B

The Syrian Golan

The General Assembly,

Having considered the item entitled "The situation in the Middle East",

Taking note of the report of the Secretary-General of 20 October 1994, 1/

Recalling Security Council resolution 497 (1981) of 17 December 1981,

Reaffirming the fundamental principle of the inadmissibility of the acquisition of territory by force,

Reaffirming once more the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, 2/ to the occupied Syrian Golan,

Deeply concerned that Israel has not withdrawn from the Syrian Golan, which has been under occupation since 1967, contrary to the relevant Security Council and General Assembly resolutions,

Noting with satisfaction the convening at Madrid of the Peace Conference on the Middle East on the basis of Security Council resolutions 242 (1967) of 22 November 1967 and 338 (1973) of 22 October 1973, with the hope that substantial and concrete progress will be achieved on the Syrian and Lebanese tracks for the realization of a just, comprehensive and lasting peace in the region,

1. Declares that Israel has failed so far to comply with Security Council resolution 497 (1981);

2/ United Nations, Treaty Series, vol. 75, No. 973.

2. Declares also that the Knesset decision of 11 November 1991 annexing the occupied Syrian Golan constitutes a grave violation of Security Council resolution 497 (1981) and therefore is null and void and has no validity whatsoever, and calls upon Israel to rescind it;

3. Reaffirms its determination that all relevant provisions of the Regulations annexed to the Hague Convention of 1907, 3/ and the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, continue to apply to the Syrian territory occupied by Israel since 1967, and calls upon the parties thereto to respect and ensure respect for their obligations under those instruments in all circumstances;

4. Determines once more that the continued occupation of the Syrian Golan and its de facto annexation constitute a stumbling-block in the way of achieving a just, comprehensive and lasting peace in the region;

5. Demands once more that Israel withdraw from all the occupied Syrian Golan in implementation of the relevant Security Council resolutions;

6. Requests the Secretary-General to report to the General Assembly at its fiftieth session on the implementation of the present resolution.

91st plenary meeting
16 December 1994

3/ See Carnegie Endowment for International Peace, The Hague Conventions and Declarations of 1899 and 1907 (New York, Oxford University Press, 1915).